

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ROBERT WESTBERRY, and JARED
STUBBLEFIELD, Individually, and on behalf
of all others similarly situated under 29 USC
216(b)

Plaintiffs,

vs.

GUSTECH COMMUNICATIONS, LLC, and
GUSTAVO SANTAMARIA, Individually,
Defendants.

CIVIL ACTION NO. 3:17-CV-03162-D

**DEFENDANT'S GUSTECH COMMUNICATIONS, LLC'S
MOTION TO EXTEND ANSWER DEADLINE AND BRIEF IN SUPPORT**

COMES NOW Defendant Gustech Communications, LLC ("Gustech") and, through its counsel of record files this Motion to extend Answer Deadline and Brief in Support (the "Motion") and would show the Court as follows:

Counsel for Gustech, Bryan C. Collins and Rogge Dunn, Clouse Dunn LLP were retained by Gustavo Santamaria ("Santamaria") and by Gustech (collectively "Defendants") today and have entered their appearance on behalf of Defendants. (ECF No. 13). They have also filed Defendants' Certificate of Interested Persons. (ECF No. 14).

Pending before the Court is Santamaria's pro se motion to expand time to file an answer ("Santamaria's Motion"). (ECF No.11). Because it did not include a certificate of conference, the Court assumed it was opposed and deferred ruling until receiving a response from Plaintiffs. (ECF No.12). The undersigned is not aware of any response that has been filed by Plaintiffs.

Today, the undersigned contacted opposing counsel by phone and by email to determine whether Plaintiffs would oppose Santamaria's Motion and this Motion. Specifically, the undersigned suggested to opposing counsel that a new answer deadline for both Defendants of January 22, 2018 would be appropriate. As of the filing of this Motion, the undersigned has not received a response from Plaintiffs' counsel. The undersigned, or Plaintiff's counsel, will advise the Court in the event that the requested extension of the answer deadline for both Defendants is not opposed by Plaintiffs.

Defendants respectfully suggest that Santamaria's Motion and this Motion are supported by just and good cause because (a) Gustech's owner was out of town after service of the suit and had difficulty identifying legal counsel to represent Defendants, (b) the undersigned were retained as legal counsel for Defendants today, and (c) Plaintiffs will suffer no prejudice as a result of the requested, short extension of the answer deadline for both Defendants.

Accordingly, Defendants respectfully request that their answer deadline be extended to January 22, 2018.

Respectfully submitted,

By:



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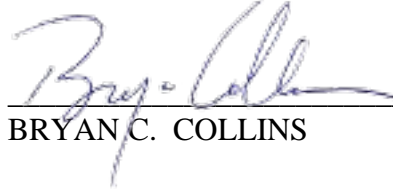
Facsimile: (214) 220-3833

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

The undersigned counsel certifies that he phoned and emailed counsel for Plaintiffs today asking whether Plaintiffs oppose Santamaria's Motion and this Motion and, specifically, whether Plaintiffs opposed extending the answer date for both Defendants to January 22, 2018. As of the time of the filing of this Motion, the undersigned has not heard back from counsel for Plaintiffs.

CERTIFIED to this 12th day of January, 2018.


BRYAN C. COLLINS

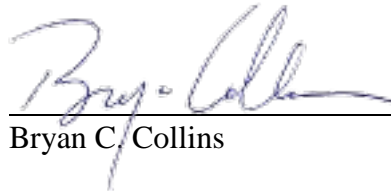
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been served on all counsel of record in accordance with the Federal Rules of Civil Procedure on the 12th day of January, 2018.

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***ATTORNEY FOR PLAINTIFFS
AND CLASS MEMBERS***

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Bryan C. Collins